

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Richard Demarcus Rosemond,

PLAINTIFF

v.

Berkshire Hathaway Corporation,

DEFENDANT

Case No. 6:21-cv-00051-TLW

Order

Plaintiff Richard Demarcus Rosemond, proceeding *pro se*, filed this civil action alleging trademark violations. ECF No. 1. The matter now comes before the Court for review of the Report and Recommendation (Report) filed by the magistrate judge to whom this case was assigned. ECF No. 28.

After reviewing the Complaint, the magistrate judge issued three proper form orders outlining various issues with Plaintiff's pleadings, but he failed to remedy the issues outlined. In the Report, the magistrate judge recommends that Plaintiff's case be dismissed under Rule 41(b) for failing to comply with a court order, despite being informed of the potential consequences of doing so. The magistrate judge also recommends summarily dismissing the case because it is frivolous. Plaintiff did not file objections to the Report. This matter is now ripe for decision.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, the Court is not required to give any

explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, “a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

The Court has carefully reviewed the Report. For the reasons stated by the magistrate judge, the Report, ECF No. 28, is **ACCEPTED**. This action is hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.¹

s/ Terry L. Wooten
Terry L. Wooten
Senior United States District Judge

August 20, 2021
Columbia, South Carolina

¹ The Court notes that this is one of four cases filed by Plaintiff this calendar year alleging substantively the same frivolous issue. *See* No. 6:21-cv-00052-TLW (D.S.C.); 6:21-cv-00223-TLW (D.S.C.); 6:21-cv-01246-TLW (D.S.C.). The magistrate judge recommends that the Court consider the imposition of sanctions against Plaintiff. The Court declines to impose sanctions at this time, but takes this opportunity to warn Plaintiff that the Court will consider imposing monetary or other sanctions against him if he continues to pursue frivolous litigation.